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To: Microsoft ATR
Date: 1/24/02 4:55pm
Subject: Microsoft Settlement

To: Renata B. Hesse
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I would like my brief comments to be considered under the Tunney Act regarding the proposed Microsoft settlement.

The courts have already clearly established that Microsoft has used a monopoly power to unfair competitive advantage in the market during the last several years. Please do not let Microsoft's attorneys turn this settlement into a toothless, ineffective attempt at rectifying the situation. Rather, I hope that you will reconsider many of the points of the settlement to insure that actions are indeed in place to prevent Microsoft from further abuses of its monopoly power. As a computer professional with no financial ties to Microsoft's success or failure, I can truly say that from my perspective the industry would be better served by this result.

The issue with which I most take offense is the excessively narrow definition of many terms in the settlement. It seems that the existing definitions of Windows, Windows API, Middleware and many other such terms are so narrow that they would be easily sidestepped by attorneys at Microsoft in future revisions.

The trial is still under way and already Microsoft is pursuing it's next great attempt at strangling an area of the computer industry with it's invasive .NET architecture. It is bad enough that an end user who is uneducated already feels browbeaten into using Microsoft's Passport features in Windows XP, but when system administrators will be more and more frequently pressured into using Microsoft technologies on servers for other reasons they will have little other choice but to use Microsoft's middleware as well as their operating system because of Microsoft's practice of so tightly integrating their own ancillary technologies.

Please, earn your keep. Do your job. Don't make me embarrassed for my government.

All the Best,

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